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LB 285, 398

I would like to study that a little bit myself and get back to you with that...

SENATOR HILGERT: That certainly sounds like a Select File issue, Senator Jensen.

SENATOR JENSEN: (Laugh) I understand.

SENATOR HILGERT: And thank you very much for responding. It is...and that is a concern of mine when we have...one thing I learned and was beat into me, unfortunately at the expense of several of my bills in Judiciary, they must be clear and you must have an idea of what the law says if you're going to be violating it. And frankly, this is a little vague on...at least in my opinion. And I'm wondering why we shouldn't have "under the influence" added as well as intoxication. And also I have a question about what does "endanger" mean. Endanger is normally...means you're putting someone at risk. Well, if you're just simply putting them at risk, then damage doesn't need to occur. So under this law, right now we don't know what intoxication exactly is but you have to be intoxicated, then you have to prescribe or administer the drug, and then it has to endanger the life. And whether that's just putting them at risk or whether there has to be damage, I think is vague as well. So I think that there needs to be probably a little bit of clarifying language and I'm not saying that this will be very difficult to do, but I do believe that this is something we need to address on Select File if we're going to make this a Class IV felony. Thank you very much.

SENATOR CUDABACK: Thank you, Senator Hilgert. Senator Janssen, on the committee amendments.

SENATOR JANSSEN: Thank you, Senator Cudaback, members of the Legislature. I'd like to thank the Health and Human Services Committee, Senator Suttle, Senator Jensen, for allowing the...one of the amendments that was a bill of mine, LB 285. I've had that bill for the last couple of years and finally it looks like it's going to find a home. Under the current...I'd like to explain that to you just a little bit. Under the current law, if a practicing...practitioner sells a clean